

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7194

BILL NUMBER: HB 1498

NOTE PREPARED: Jan 10, 2013

BILL AMENDED:

SUBJECT: Refusal of Certain Health Care Coverage.

FIRST AUTHOR: Rep. Wesco

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill prohibits a person from being: (1) compelled to obtain; or (2) discriminated against or penalized for refusing; coverage for abortion, contraception, or sterilization in a health plan if the person objects to the coverage on moral or religious grounds. It prohibits a person from being: (1) compelled to provide or offer; or (2) discriminated against or penalized for declining or refusing to provide or offer; coverage for abortion, contraception, or sterilization in a health plan if the person objects to the coverage on moral or religious grounds. The bill also allows the Attorney General to file a civil action for relief if the Attorney General has reasonable cause to believe a person is acting in violation of these provisions.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Attorney General:* The bill allows the Attorney General to file a civil action for relief if there is reasonable cause to believe a person is acting in violation of this bill. Any impact to the Attorney General's office would depend upon the extent that civil actions are pursued.

Additional Information - This bill would require state exemptions to required provisions of the federal Patient Protection and Affordable Care Act. The state exemptions in this bill could put Indiana insurance carriers and employers in conflict with either state or federal laws, which could result in civil actions.

Explanation of State Revenues: *Court Fee Revenue:* If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A civil costs fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court

of record or 55% if the case is filed in a city or town court.

In addition, some or all of the judicial salaries fee (\$20), public defense administration fee (\$5), court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund. Revenue from the pro bono services fee (\$1) is transferred by the State Auditor to the Indiana Bar Foundation for use to assist with pro bono legal services programs in Indiana. And proceeds from the automated record keeping fee (\$5) are deposited into the state User Fee Fund.

Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 civil costs fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge, depending upon the particular type of case.

Persons filing a civil case are also required to pay the following fees that are deposited in local funds.

The document storage fee (\$2) is deposited into the clerk record perpetuation fund.

The following fees are deposited into the general fund of the county in which the court is located:

- Document fees (\$1 per document) are charged for preparing transcripts or copies of record or certificate under seal.
- Service fee (\$10) collected from the filing party for each defendant beyond the first cited in the lawsuit.

State Agencies Affected: Attorney General.

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

Fiscal Analyst: Jessica Harmon, 317-232-9854.